

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) CASE NO. CR12-060-RSM
10 v.)
11 ROY T. MAWHORTER,) DETENTION ORDER
12 Defendant.)
_____)

14 Offense charged: Felon in Possession of Explosive Material, Felon in Possession of a
15 Firearm; Distribution of Methamphetamine

16 | Date of Detention Hearing: April 2, 2012.

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
19 that no condition or combination of conditions which defendant can meet will reasonably
20 assure the appearance of defendant as required and the safety of other persons and the
21 community.

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01 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02 1. Defendant has been charged with a drug offense, the maximum penalty of which
03 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to
04 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

05 2. Defendant's criminal history includes bench warrant activity for failure to
06 appear for hearing. Defendant was not interviewed by Pretrial Services and much of his
07 background information is unknown or unverified.

08 3. Defendant does not contest detention.

09 4. Taken as a whole, the record does not effectively rebut the presumption that no
10 condition or combination of conditions will reasonably assure the appearance of the defendant
11 as required and the safety of the community.

12 It is therefore ORDERED:

13 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
14 General for confinement in a correction facility separate, to the extent practicable, from
15 persons awaiting or serving sentences or being held in custody pending appeal;

16 2. Defendant shall be afforded reasonable opportunity for private consultation with
17 counsel;

18 3. On order of the United States or on request of an attorney for the Government, the
19 person in charge of the corrections facility in which defendant is confined shall deliver
20 the defendant to a United States Marshal for the purpose of an appearance in connection
21 with a court proceeding; and

22 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel

01 for the defendant, to the United States Marshal, and to the United State Pretrial Services
02 Officer.

03 DATED this 2nd day of April, 2012.

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Mary Alice Theiler
United States Magistrate Judge